

**Lewis County Planning Commission  
Public Hearing  
Lewis County Courthouse  
351 NW North St.  
Chehalis, WA 98532**

**Meeting Notes  
October 13, 2009 – 7:00 P.M.**

**Planning Commissioners Present:** Bob Guenther, Jim Lowery, Mike Mahoney, Rachael Jennings

**Planning Commissioners Excused:** Bill Russell, Richard Tausch, Arny Davis

**Staff Present:** Phillip Rupp, Glenn Carter, Barbara Kincaid, Pat Anderson

**Others Present:** Please see sign in sheet

**Handouts/Materials Used:**

- Agenda
- Meeting Notes from September 8 and September 22
- Matrix of Rezone Recommendations
- Maps of Rezones, Batch I
- Chehalis UGA Withdrawal Letter
- Staff Report: Proposed Text Revisions to 2009 Comp Plan

**I. Call to Order**

Chairman Jennings called the meeting to order at 7:04 P.M. Commissioners introduced themselves.

**II. Old Business**

**A.** Approval of meeting notes from September 8 and September 22, 2009.

A motion was made by Commissioner Mahoney, seconded by Jim Lowery, to approve the meeting notes. Motion carried unanimously.

**B.** 2009 Comp Plan Amendment Public Hearing: Batch I Remand Rezones

Ms. Kincaid stated public testimony would be taken for the remand Batch I Rezones. In 2007 these were remanded back to the Planning Commission from the Board of County Commissioners. The Planning Commission has had previous workshops and the public hearing materials for this meeting include the 2008 Rezone Remand Summary Matrix which lists the application numbers, the applicants' requests, the 2008 Staff Recommendation, the 2009 Staff Comments, and the 2009 Staff Recommendations. Along with the matrix are the rezone maps with corresponding numbers. Application #156 is being excluded from the public hearing because it requires a special hearing.

Ms. Kincaid entered into the record the Remand Summary Matrix. Of the 36 applications, 9 have different staff recommendations in 2009, only two of those are recommended for rezone and those are #13 and #63. Four applications have been tabled because of the invalidity order: #19, 31, 33, and 96. Two applications were removed per property owner request, #89 and #91.

Ms. Kincaid asked for questions.

Commissioner Lowery asked for clarification on the tabling of some applications due to the invalidity order.

Ms. Kincaid stated those properties were zoned Agricultural Resource Land (ARL) in the interim time.

Commissioner Lowery stated the maps include #90 but there is no #90 in the matrix.

Ms. Kincaid stated it was pulled and the Commissioners should not have received the map.

Chairman Jennings opened the public hearing on the Remand Rezones. Ms. Kincaid's comments were entered into the record.

Chairman Jennings asked if anyone wished to speak on any of the applications. No one wished to speak and the Chair closed the oral portion of the public hearing, stating written testimony would be accepted until 5:00 P.M. on Tuesday, October 20 at the Community Development Department.

**C. 2009 Comp Plan Amendment Workshop**

- i. Mr. Rupp stated the City of Chehalis had received an application for inclusion of some property into the UGA. Discussions followed with the City, County and applicant and the applicant has withdrawn that application. A letter requesting the withdrawal is included in the Commissioners' packets.
- ii. Mr. Rupp stated at the last meeting a summary was presented regarding the two properties brought into the Centralia UGA in 2008. Mr. Rupp pointed out the parcels on the map. The BOCC recommended both properties be included in the UGA and this was appealed to the Growth Board. Following the appeal, negotiations took place with the City of Centralia, the appellants and Lewis County. There has been an agreement and the City of Centralia is requesting the property bordering the Chehalis River be taken out of the UGA and rescinded back to the original zoning, RDD-20. The agreement also states there will be no appeal on the 300+ acres.

Staff asked the Planning Commission to set a public hearing for November 10 for consideration of the rescission of the UGA expansion and the going back to the 1 in 20 zoning for the other piece.

A motion was made and seconded and carried unanimously.

- iii. Commissioner Mahoney made a motion to hold a public hearing on November 10 on Application #156. The motion was seconded and carried unanimously.

**III. New Business**

**2009 Comp Plan Amendment Workshop**

Mr. Rupp stated tonight would be the first workshop on the proposed revisions to the Lewis County Comprehensive Plan and adopting and implementing regulations and ordinances. The material is covered in a Staff Report dated October 7 and asked that it be entered into the record.

The first topic is the school capital facilities plans. Mr. Rupp summarized the meeting with Ms. Marnie Allen, ESD112, and her work on the plans. The Comprehensive Plan and the Growth Management Act

require that the school capital facility plans be adopted as implementing mechanisms as part of the Comprehensive Plan. Staff is proposing modifying the language, found on page 2 of the Staff Report, to include those specific plans by reference. The Staff Report shows the text that is to be changed and the text that is to be deleted by underlining and strikethrough respectively.

This action brings the County into compliance with its Comprehensive Plan Capital Facilities Element and with the Growth Management Act. It also enables the school districts, if the County were to approve an impact fees ordinance, to start collecting fees.

Commissioner Mahoney asked for clarification on this subject. The Planning Commission is to recommend inclusion or not recommend inclusion but it has no authority to change the figures. The purpose to include them is for possible impact fees and for the districts to be able to apply for funding.

Mr. Rupp stated that is correct. By including them in the Comp Plan it puts them on a list of capital facilities that need to be built; without that list being acknowledged, the boards of the districts cannot apply. It brings the plans up to date.

Commissioner Mahoney asked if this commits the County to any of the dollar amounts in any way.

Mr. Rupp stated no, it does not. The school districts themselves adopt the plans and they are responsible for the funding or bonding.

Chairman Jennings stated there is not a requirement within the Capital Facilities Update to have impact fees; the districts need to source out where they will seek the funding.

Mr. Rupp stated the language in the Comprehensive Plan includes impact fees as a way of financing improvements and the County does not have a mechanism at this time for the collection of impact fees, although there have been discussions about impact fees.

Mr. Rupp stated page 4 of the Staff Report lists the school districts that have adopted capital facility plans. Those include: Centralia, Chehalis, Napavine, Onalaska, Toledo and Winlock.

Commissioner Mahoney asked what happens to the other districts.

Ms. Kincaid stated the County is required to get all of the public facilities into the comp plan to the extent that it is able. We were unable to get information about Adna, Boistfort, Evaline, Morton, PeEll, and White Pass. Staff will continue to try.

Mr. Rupp asked the Planning Commission to set a public hearing for November 10 on the school capital facilities plans. Commissioner Mahoney made the motion, Commissioner Lowery seconded; motion carried.

Commissioner Lowery asked Mr. Rupp if the school districts had a public hearing process to draft their capital facility plans and if the Planning Commission needs to go through the same process.

Mr. Rupp stated the school districts did go through a public hearing process; however the Planning Commission will not go through the content of the plans. Its role is the adoption and inclusion by reference the plans into the Comp Plan.

Mr. Rupp stated the second part of tonight's workshop includes some text changes to the Comprehensive Plan and some proposed revisions to the Lewis County Code. These are regarding the possible location of a regional auctioneering facility somewhere in Lewis County.

The County has been considered for a major facility, probably along I-5, and currently there is no mechanism in its Comp Plan to allow that to occur, nor is it in the Code. Staff is proposing modifying some language in the rural element of the Comp Plan to allow such a facility to occur as a special use within Lewis County. A definition of major auctioneering facilities needs to be added to the Code and a specific reference to major auctioneering facilities in the special use category. The format of the Lewis County Code is: unless that specific use is listed it is not allowed.

Commissioner Mahoney asked without these changes, would the facility need to move into a major industrial zone.

Mr. Rupp stated it could, but it is not an urban facility because it does not require urban services, specifically sewer services.

Commissioner Mahoney stated the way it is now for this type of facility, it would need to be in a UGA or industrial zone.

Ms. Kincaid stated in rural unincorporated Lewis County, in our zoning districts, we do not have any provision to process a permit for a development such as this because those case-by-case uses are processed through a special use permit where the Hearing Examiner makes that final decision. There is no place in an existing rural zoning district that permits a use like this. That is why in 17.115 we are proposing that through our special use permit process we add an additional use.

Mr. Rupp noted that the special use allows the Hearings Examiner to place special conditions on the use that makes it compatible with the surrounding area.

Commissioner Mahoney moved to take the Comp Plan revision and code revision to public hearing on November 10, 2009. Commissioner Lowery seconded. The motion carried unanimously.

#### **IV. Calendar**

The next meeting will be on October 27, 2009. There will be a workshop on the Public Works six-year transportation improvement plan and the 2<sup>nd</sup> workshop on the 2009 Comp Plan Amendments for text and code revisions.

Ms. Kincaid also added a workshop on the rezone Application #156.

#### **V. Good of the Order**

Mr. Dennis Hadaller, 3411 US Hwy 12, Mossyrock, stated he lives in the Mossyrock school district and the staff report lists capital improvement plans will cost \$495 million. He believes this should be \$4.95 million.

Regarding forest resource lands, is the housing in that designation 6 houses per piece? Mr. Rupp stated the minimum acreage in forest resource land of long term commercial significance is 80 acres, or one home per 80 acres. For local importance it is one home per 20 acres.

Mr. Hadaller spoke about industrial areas. He thought acreage outside the zone should be increased for conservation buffers. Without that it would limit the 80,000 square footage totals for building. With the type of facility that is being considered there will be a need for several large buildings, such as for painting, mechanical, etc.

Ms. Kincaid referenced the "six pack" rule that Mr. Hadaller mentioned. That is a limitation without a water right. If a person had a large land holding and a water right that rule would not necessarily apply.

Commissioner Guenther stated if someone had 400 acres and wells they could have 8 homes. Ms. Kincaid stated each parcel could be subdivided by state law into 20-acre parcels, which the County would not regulate. Each one of those 20-acre parcels could legally change hands and each person could drill an exempt well.

Commissioner Guenther stated he would not be able to attend the October 27 meeting. Commissioner Lowery will not be able to attend either.

Chairman Jennings asked that the Commission be polled before that meeting.

#### **VI. Adjourn**

A motion was made and seconded to adjourn. Adjournment was at 7:42 P.M.